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Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Note verbale dated 9 March 2004 from the Permanent Mission of Austria to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Austria to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia and has the honour to provide the information set out below.

The Member States of the European Union (EU), including Austria, have implemented the restrictive measures against Liberia, as modified by resolution 1521 (2003), by enacting European Council common position 2004/137/CFSP of 10 February 2004 concerning certain restrictive measures in respect of Liberia and repealing common position 2001/357/CFSP and European Council regulation (EC) No. 234/2004 of 10 February 2004 concerning certain restrictive measures in respect of Liberia and repealing regulation (EC) No. 1030/2003 (see attachments).*

Whereas European Council regulations are binding in their entirety and directly applicable in all Member States of the European Union, and thus do not require further national implementation, the above Council common position endorsing the arms embargo and travel ban has been implemented by national legislation.

As regards the arms embargo, the Austrian War Materials Act (WMA), the Austrian Foreign Trade Act (FTA) and the Foreign Trade Act Regulation (FTAR) apply. Under these laws, no permission may be granted to export war materials, weapons etc. to countries that are subject to a United Nations or EU arms embargo. Non-compliance with WMA or FTA is, in principle, an administrative offence, but may, under certain circumstances, also be regarded as a criminal offence to be punished with imprisonment of up to five years or payment of a fine of up to 360 daily rates.

With respect to the travel ban, in addition to the standard procedures pursuant to the EU Schengen Information System, there is a further safeguard for visas issued by Austrian consulates abroad. In case of doubts concerning any individual or their reason for travelling, all consulates must check with the Ministry of the Interior. In the case of persons listed under United Nations or EU embargoes, the Austrian Foreign Ministry is also informed.

* The text is available in the files of the Secretariat.

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